

APPEAL NO. 031084  
FILED JUNE 20, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on February 25, 2003. The hearing officer resolved the disputed issue by deciding that the claimant is entitled to supplemental income benefits for the first quarter. On April 10, 2003, the hearing officer issued a Texas Workers' Compensation Commission Order for Attorney's Fees (the attorney's fee order) to be paid pursuant to Section 408.147(c) and Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE §152.1(f) (Rule 152.1(f)), in which the hearing officer approved \$3,300.00 of the \$4,180.00 in attorney fees requested by the appellant (attorney) who represented the claimant. The attorney appealed the attorney's fees order. No response was received from the claimant or the carrier.

DECISION

Reversed and rendered.

The 4.4 hours in dispute were misidentified in the application for attorney's fees. The disputed hours were actually requested travel time to and from the benefit review conference (BRC). It appears that the attorney claimed a reasonable amount of time for round trip travel from the city where his office is located to the city where the BRC was held. We conclude that it was an abuse of discretion to not approve the hours requested for travel time. See Texas Workers' Compensation Commission Appeal No. 012073, decided December 17, 2001, and Texas Workers' Compensation Commission Appeal No. 030029, decided February 18, 2003.

The attorney's fee order is reversed and a new decision is rendered approving the total attorney's fees requested in the amount of \$4,180.00.

The true corporate name of the insurance carrier is **SAFECO INSURANCE COMPANY OF AMERICA** and the name and address of its registered agent for service of process is

**LEON CROCKETT  
1600 NORTH COLLINS BOULEVARD, SUITE 300  
RICHARDSON, TEXAS 75080.**

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Margaret L. Turner  
Appeals Judge

CONCUR:

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Gary L. Kilgore  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge